

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

SFR INVESTMENTS POOL 1, LLC,

Plaintiff,

v.

BANK OF AMERICA, N.A., et al.,

Defendants.

Case No. 2:22-cv-00630-CDS-EJY

ORDER EXPUNGING LIS PENDENS

Plaintiff SFR recorded a lis pendens against the property upon commencing this action and in conjunction to the filings of their emergency motions for a preliminary injunction and a temporary restraining order. (ECF No. 3). In opposing the emergency motions, the Defendant also moved to expunge the lis pendens because SFR cannot demonstrate it is "likely to prevail on the merits" or have a "fair chance of success on the merits." *See* NRS 14.015. I agree with the Defendant.

Having considered the moving papers, I GRANT Bank of America, N.A.'s motion to cancel and expunge the lis pendens. A lis pendens can only be supported by a foreclosure action or a claim that affects title to or possession of real property. *See* NRS 14.010(1). Here, based on my denial of Plaintiff's emergency motions, the foreclosure action can proceed.

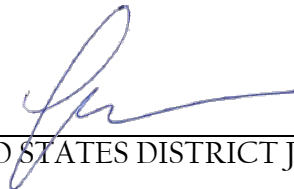
In granting this motion, I also incorporate my finding and conclusions stated on the record on May 16, 2022, during the hearing on Plaintiff's emergency motions for a preliminary injunction and a temporary restraining order.

1 Accordingly, the Lis Pendens recorded on April 15, 2022, in the real property records of
2 Clark County, Nevada as Instrument number 202204150001514, against the real property
3 commonly known as 2149 Tierra Del Verde, Las Vegas, Nevada 89156, Assessor's Parcel Number
4 140-21-611-023 is hereby CANCELED, DISCHARGED AND EXPUNGED.

5 IT IS SO ORDERED.

6 IT IS FURTHER ORDERED that a copy of this order expunging the lis pendens be
7 recorded with the Clark County Recorder's office.

8 DATED this 19th day of May, 2022.

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12 UNITED STATES DISTRICT JUDGE
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